

SEP - 9 2016

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

David J. Bradley, Clerk

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

Uriel Gallegos-Nunez

PRINCIPAL

YOB: 1988

the United Mexican States

CRIMINAL COMPLAINT

Case Number:

M-16-1688-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about September 07, 2016 in Hidalgo County, in the Southern District of Texas defendants(s) did,

(*Track Statutory Language of Offense*)

Ct. 1 knowing or in reckless disregard of the fact that Kevin Donaldo Urbina-Melgar and Rolando Ramos, citizens and nationals of Honduras, along with four (5) other undocumented aliens, for a total of seven (7), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near La Blanca, Texas to the point of arrest near La Blanca, Texas,

Ct. 2 Uriel Gallegos-Nunez being then and there an alien who had previously been deported from the United States to Mexico in pursuance of law, and thereafter was found near La Blanca, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) & 1326 FELONY
 I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On September 7, 2016, Agents assigned to Operation Shortstop assisted Weslaco Intelligence Border Patrol Agents who had information regarding multiple subjects being staged on Mile 19 Road, between Skinner and Sunflower Road north of La Blanca, Texas. This area has been previously identified as a staging area for undocumented aliens. Due to this information, Agents conducted surveillance and monitored the area throughout the day.

At approximately 9:30 p.m., Intelligence Agents witnessed a white in color Jeep Liberty traveling eastbound on Mile 19 from Skinner Road. The vehicle came to a stop at the intersection of Sunflower

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

Yes No

 Signature of Complainant

Sworn to before me and subscribed in my presence,

September 09, 2016

Date

4:03pm atFrancisco Armendariz Senior Patrol Agent

Printed Name of Complainant

McAllen, Texas

City and State

Peter E. Ormsby, U. S. Magistrate Judge
 Name and Title of Judicial Officer

Peter E. Ormsby
 Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16-1688 -M

RE: Uriel Gallegos-Nunez

CONTINUATION:

Road and Mile 19, and shortly after, it made a U-turn and headed back west on Mile 19. The vehicle then came to a stop alongside Mile 19 at the identified staging area for undocumented aliens. Agents observed the vehicle's interior dome lights come on but were too far to observe if anyone exited or boarded the vehicle. The vehicle door was heard being closed and then the vehicle continued to travel westbound.

Due to the suspicious nature of the vehicle's actions, Agents located a short distance away in an unmarked patrol vehicle proceeded to follow the suspect vehicle at a safe distance in order to monitor it further. Believing the vehicle to be involved in criminal activity, Intelligence Agents requested the assistance from Hidalgo County Sheriff's Office in order to conduct a traffic stop and identify the driver of the vehicle. Hidalgo County Sheriff's Deputy Elizondo responded to the scene and attempted to conduct a traffic stop as the suspect's vehicle entered a private residential driveway at 21422 Skinner Road Edinburg, Texas 78542.

The driver, later identified as Uriel GALLEGOS-Nunez, was observed outside his vehicle near a gate. Agents approached and then Gallegos ran to his vehicle, boarded, and placed the vehicle in reverse and attempted to abscond. The driver immediately then placed the Jeep in drive and attempted to flee but struck a fence and a metal post. Before the driver attempted to place the vehicle in reverse again, Agent Martinez was able to grab the driver and secured him without further incident. Upon questioning, GALLEGOS-Nunez, freely admitted to being a citizen and national of Mexico with no legal right to be or remain in the United States legally. Two cell phones were also discovered where Gallegos was observed standing. Gallegos stated the phones did not belong to him.

Meanwhile, Border Patrol Agents conducted a search of the alien staging area, which resulted in the apprehension of seven undocumented subjects with no legal right to be or remain in the United States legally.

All subjects were transported to the Weslaco Border Patrol Station for processing. At the station, a text message was discovered on an abandoned phone. The text message was in Spanish, it contained the names of three undocumented aliens that were found near the alien staging area. It also references to whom the seven undocumented aliens belonged too.

Record Checks revealed Uriel Gallegos-Nunez was formally Deported/Excluded on April 10, 2013, through the Calexico, California Port of Entry.

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CONTINUATION:

Uriel Gallegos-Nunez was read his Miranda Rights. He understood his rights and declined to provide a sworn statement.

Kevin Donaldo Urbina-Melgar and Rolando Ramos, were read their Miranda Rights. They both understood their rights and provided a sworn statement without the presence of an attorney.

URBINA, citizen of Honduras, stated that a family member who lives in Dallas, Texas made the smuggling arrangements. The smuggling arrangements cost a total of \$7,000 USD. He crossed into the United States with a guide and nine other illegal immigrants. After crossing the river, they walked for several hours through the brush and then were picked up by a truck and taken to a house. He was eventually transported in a pickup and dropped off in the brush, and told to hide. The following day he was apprehended by Border Patrol.

RAMOS, a citizen of Honduras, stated that he made all the arrangements with an alien smuggler. His arrangements cost \$7,000 USD and has already paid \$3,000 USD. After crossing the river, he walked for approximately two hours through the brush and then was picked up by a black sedan and taken to a house. Ramos claims to have stayed at that house for seven days. He was then taken to the brush where he was apprehended by Border Patrol.